

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

HEATHER COGLE,

Plaintiff,

Case No. 12-13545

Honorable Thomas L. Ludington

v.

WEBER & OLCESE, P.L.C.,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND GRANTING IN PART PLAINTIFF'S MOTION FOR FEES AND COSTS**

Heather Cogle filed this lawsuit against Weber & Olcese, P.L.C. (W&O) alleging violations of the Fair Debt Collection Practices Act. On October 15, 2012, Ms. Cogle filed a Notice of Acceptance concerning an Offer of Judgment from W&O. The acceptance expressly stated that the "issue of attorney fees and court costs remains pending." *See* Offer of Judgment Acceptance 1, ECF No. 19. Ms. Cogle then moved for attorney's fees and costs in the amount of \$5,406.50.

On May 6, 2013, Magistrate Judge Charles E. Binder issued a report recommending Ms. Cogle's motion be granted in part, awarding \$2,427.13 (representing 8.2 hours of attorney and paralegal time and \$500 in costs). As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 28, is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for attorney's fees and costs, ECF No. 24, is **GRANTED** in part and **DENIED** in part.

It is further **ORDERED** that Defendant Weber & Olcese, P.L.C. is **DIRECTED** to pay Plaintiff **\$2,427.13** in attorney's fees and costs.

Dated: May 29, 2013

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 29, 2013.

s/Tracy A. Jacobs  
TRACY A. JACOBS